

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Michael Owen Frederick,

Plaintiff,

v.

Case No. 10-11349

Commissioner of Social Security,

Honorable Sean F. Cox

Defendant.

_____ /

ORDER
ACCEPTING AND ADOPTING REPORT & RECOMMENDATION

Plaintiff brought this action challenging a final decision of Defendant Commissioner denying his application for Disability Insurance Benefits under the Social Security Act. Thereafter, both parties filed cross-motions for summary judgment, which were referred to Magistrate Judge Steven Whalen pursuant to 28 U.S.C. §636(b). On March 25, 2011, Magistrate Judge Whalen issued his Report and Recommendation (“R&R”), wherein he recommends that: 1) Defendant’s Motion for Summary Judgment be granted; and 2) Plaintiff’s Motion for Summary Judgment be denied.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. “The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made.” *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R.

The Court hereby ADOPTS the March 25, 2011 R&R. IT IS ORDERED that Defendant's Motion for Summary Judgment is GRANTED. It is FURTHER ORDERED that Plaintiff's Motion for Summary Judgment is DENIED.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: April 20, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 20, 2011, by electronic and/or ordinary mail.

S/Jennifer Hernandez

Case Manager